

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 98-042

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

- a. In the title to the new chapter, the hyphen should be replaced by a semicolon and the ampersand should be replaced by “and.”
- b. Section NR 749.03 is not necessary, because s. NR 700.03 states that the definitions in that section apply to the entire NR 700 series. This provision could be added as a note to the rule.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. The excess verbiage in the rule should be eliminated. For example, “in accordance with” should be replaced by “under” and “assess and collect” should be replaced by “impose” in s. NR 749.01. The words “follow the provisions in” should be replaced by “comply with” in s. NR 749.02. The first sentence of s. NR 749.04 (1) is repetitive and should be eliminated, as is “and provide written or oral comments” in the third sentence of that subsection.
- b. The word “that” should be added after “except” in s. NR 749.02.
- c. The third sentence of s. NR 749.04 (1) could be clarified by specifying which documents or information may be subject to the request.
- d. Section NR 749.04 (1) requires that the fee must accompany a request for assistance and that assistance by the department may not be provided unless the fee accompanies the

request. This provision could be clarified to specify that a request for assistance may be resubmitted if it is not accompanied by the applicable fee, if that is the department's intent.

e. It is not clear how a requested action would not be "acceptable," as provided in s. NR 749.04 (2). Does this term describe all reasons for rejection of a request for assistance?

f. In the descriptions in Table 1, the following changes should be made:

- (1) The slash in "Negotiation/Cost Recovery" should be replaced by "or" or "and," as appropriate.
- (2) A few words of description should be added to the heading for "NR 720.19 Reports."
- (3) "O&M" should be replaced by "Operation and Maintenance," or whatever is the appropriate term.

g. The slash in the Note after Table 1 should be replaced by "or."

h. In the fee column of Table 1, a dollar sign should precede the first dollar amount.